

“O”

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,)	Case No. SA 08-238M
Plaintiff,)	ORDER OF DETENTION
v.)	[Fed.R.Crim.P. 32.1(a)(6); 18 U.S.C.
MICHAEL W. EVERS,)	§3143(a)]
Defendant.)	

The defendant having been arrested in this judicial district pursuant to a warrant issued by the Honorable Dennis L. Howell, United States Magistrate Judge, of the United States District Court for the Western District of North Carolina, for an alleged violation of the terms and conditions of the defendant's supervised release; and

The Court having conducted a detention hearing pursuant to Federal Rule of Criminal Procedure 32.1(a)(6) and 18 U.S.C. § 3143(a), The Court finds that:

A. (X) The defendant has not met his burden of establishing by clear and convincing evidence that he is not likely to flee if released under 18 U.S.C. § 3142(b) or (c). This finding is based on the defendant's lack of bail resources, lack of a stable residence, and the nature of the charge offense, which indicates the defendant may not abide with conditions of release; and

1 B. (X) The defendant has not met his burden of establishing by clear and convincing
2 evidence that he is not likely to pose a danger to the safety of any other person
3 or the community if released under 18 U.S.C. § 3142(b) or (c). This finding
4 is based on the underlying commitment offense and his failure to abide with
5 the conditions of supervised release.
6

7 IT THEREFORE IS ORDERED that the defendant be detained pending the further
8 revocation proceedings in the charging district.
9

10
11 Dated: June 4, 2008

12 /s/
13 ARTHUR NAKAZATO
14 UNITES STATES MAGISTRATE JUDGE
15
16
17
18
19
20
21
22
23
24
25
26
27
28